

without limitation or restriction, *when* granted to the General Government for a particular purpose, may, by that Government, be exercised without limitation or restriction, without regard to that particular purpose, and to the extent of an entire perversion or destruction of that purpose.

The particular purpose for granting the power to the General Government was, to raise revenue, by giving unity, vigor, and stability, to our foreign commerce.

It was conservative, and cannot be rightfully exercised but as a conservative power.

Permit me to test the logic of the message, and exhibit the conclusions to which it leads:

The States, respectively, before the adoption of the Constitution, had the power to interdict all foreign commerce indefinitely, to annihilate it forever at their sovereign will and pleasure; but the States have granted all power over it to the General Government; therefore the General Government has power to interdict it indefinitely — to lay a perpetual embargo — to annihilate it forever, as its sovereign will and pleasure. This conclusion, absurd as it may seem, inevitably results from the argument of the message.

Yet no intelligent man can be found who will advocate the proposition that Congress, by a sweeping enactment, can cut off forever all foreign commerce. The act laying the embargo, in 1807, not indicating upon its face the period of its limitation, was gravely questioned, in a certain quarter, in respect to its constitutionality by many of the most eminent lawyers and statesmen.

And yet an embargo is a mere temporary suspension of commerce, designed to correct some evil pernicious to its prosperity; or as a precautionary measure, preliminary to some ulterior movement that might expose it to hazard or injury. In both cases it has for its object the benefit of commerce; to place it on a better and more permanent footing, or to shelter it from an impending evil. It is a temporary evil, resorted to for the attainment of a durable good. It is a conservative power, and in that aspect only is it rightfully exercisable, and in that aspect it is strongly contridistinguished from the protective principle, which tends to the annihilation and not the conservation of foreign commerce.